

City of Amery

COMMON COUNCIL MEETING AGENDA

Pursuant to Wisconsin Statutes 19.84, Notice is hereby given to the public that a meeting of the **Common Council** of the City of Amery will be held on: **February 4, 2026 at Amery City Hall - 104 Maple St. W, Amery, WI at 5:00 PM.**



- Call to Order
- Pledge of Allegiance
- Roll Call
- Adoption of Agenda

Consent Agenda Items:

Minutes – City Council (January 07, 2026), City Council (January 21, 2026), Plan Commission (January 22, 2026), Airport Commission (June 12, 2025)

Ordinance 02-2026 An Ordinance Amending Chapter 294 of the City of Amery Code of Ordinances Regulating Mobile Food Establishments

Items under the consent agenda may be acted upon by one motion. If in the judgment of any Council Member, a consent agenda item needs discussion, the item can be removed and discussed.

Order of Items	Agenda Item
1	Public Comment
2	Department Head Reports –City Administrator, Clerk-Treasurer, Police Chief, Fire Chief, Library Director, and Director of Public Works
3	Resolution 1-2026 Utilizing TID 9 Funds for Snow Removal Equipment Purchase
4	Resolution 2-2026 Amending the Annual Budget for the Purchase of Snow Removal Equipment
5	Fire Department Bylaws Update
6	Nuisance Tenant Ordinance Discussion
7	Council Comment
8	Adjournment.

*Although the public may speak on any item that is not included on this agenda as a “Public Hearing or Forum” the Council will not respond or discuss the issue brought forward at this time. In accordance with open meeting laws the Council must notice an item on the agenda to take action on that matter. Your comments will be considered and may be placed on a future agenda for further discussion. Any person wishing to submit a public comment digitally may email them to Cityhall@amerywi.gov until noon of the day of the meeting. Although your comments will be presented to the Council they may or may not be read aloud or discussed during the meeting. The Public Comment Portion will be limited to 3 minutes total per speaker with the total duration to be at the Chair’s discretion. The council may act on any item that is noticed on the agenda.

Taylor Larson
Clerk/Treasurer

****Posted: January 29, 2026 on the City Website (www.amerywi.gov); and at Amery City Hall, Amery Public Library, and the Amery Police Department.**

The City of Amery does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or provision of services, programs or activities.

NOTE: Upon reasonable notice, the City of Amery will accommodate the needs of disabled individuals through aids or services. For additional information or to request this service, contact the Clerk-Treasurer’s office at (715) 268-3410 by Noon the previous day so that arrangements can be made.

AMERY CITY COUNCIL PROCEEDINGS

January 07, 2026

The Amery City Council met on January 7, 2026, at the Amery City Center. Mayor, Rick Van Blaricom called the meeting to order at 5:00 p.m.

Roll Call: Clerk-Treasurer, Taylor Larson conducted Roll Call.

Present: Mayor, Rick Van Blaricom; and Alderpersons; Frances Duncanson; Roger Van Someren; Sharon Marks; Adam Honl and Eric Elkin.

Staff Present: City Administrator, Alex Mansfield; Clerk-Treasurer, Taylor Larson; Police Sergeant, Kipp Harris; Fire Chief, Chuck Frohn; Library Director, Heather Wiarda; Public Works Director, Jeff Mahoney, and Deputy Clerk-Treasurer, Lisa Gunderson.

Others present: Justin Runberg – Amery Free Press, Tom and Craig Olson, Holly Carlson, and Peggy Coleman.

Motion by Alderperson Elkin; seconded by Alderperson Marks to adopt the agenda.

Ayes – 5

Nayes – 0

Motion Carried.

Consent Agenda Items: Minutes – City Council (December 03, 2025), City Council (December 17, 2025), Arts, Parks, and Recreation Committee (November 6, 2025), Finance Committee (December 9, 2025), Personnel Committee (December 2, 2025), Recycling Committee (November 4, 2025)

Motion by Alderperson Duncanson; seconded by Alderperson Elkin; to approve the consent agenda items as listed.

Ayes – 5

Nayes – 0

Motion Carried.

New Business

- 1. Public Comment** – Tom Olson spoke about the snow removal along Keller Ave and Peggy Coleman spoke about the winter road and street conditions.
- 2. Department Head Reports –City Administrator, Clerk-Treasurer, Police Chief, Fire Chief, Library Director, and Public Works Director** -- Reports were heard from City Administrator Mansfield, Clerk-Treasurer Larson, Police Sergeant Harris, Fire Chief Frohn, Library Director Wiarda, and Public Works Director Mahoney.
- 3. Ordinance 01-2026 An Ordinance Annexing Territory into the City of Amery, Wisconsin** – Clerk-Treasurer Larson presented a Direct Annexation request that was received from a property owner on Staffenson St to annex .068 acres of Parcel 032-00795-0000 in the Town of Lincoln into the City of Amery to become part of 201-00705-0000. Currently the property line between the parcels runs through a garage and the lot line needs to be correct.

Motion by Alderperson Duncanson; seconded by Alderperson Honl to approve Ordinance 01-2026 An Ordinance Annexing Territory into the City of Amery, Wisconsin.

Roll Call Vote

Ayes – Duncanson, Van Someren, Marks, Elkin, Honl

Nayes – None

Motion Carried

4. Council Comment – Council members shared comments.

Motion by Alderperson Elkin; seconded by Alderperson Marks; to adjourn at 5:32 P.M.

Ayes – 5

Nays – 0

Motion Carried.

Respectfully submitted,

Taylor Larson
City Clerk-Treasurer
January 8, 2026

AMERY CITY COUNCIL PROCEEDINGS

January 21, 2026

The Amery City Council met on January 21, 2026, at the Amery City Center. Mayor, Rick Van Blaricom called the meeting to order at 5:00 p.m.

Roll Call: Clerk-Treasurer, Taylor Larson conducted Roll Call.

Present: Mayor, Rick Van Blaricom; and Alderpersons; Frances Duncanson; Roger Van Someren; Sharon Marks; Adam Honl, Eric Elkin and Mike Manor.

Staff Present: City Administrator, Alex Mansfield; Clerk-Treasurer, Taylor Larson; Police Chief, Dan Peters; Fire Chief, Chuck Frohn; Library Director, Heather Wiarda; Public Works Director, Jeff Mahoney, and Deputy Clerk-Treasurer, Lisa Gunderson.

Others present: Bridget Anderson – SEH (via Zoom)

Motion by Alderperson Elkin; seconded by Alderperson Manor to adopt the agenda.

Ayes – 6

Nayes – 0

Motion Carried.

New Business

- 1. Public Comment** – Rick Van Blaricom presented his gavel block that was made from a pine tree that was unearthed during the Keller Ave Project in 2021.
- 2. Pay Application 18 for the Wastewater Treatment Plant** – Bridget Anderson with SEH present Pay Application 18 for the Wastewater Treatment Plant in the amount of \$442,740.25. She also gave an update on the work that had been completed for the pay app.

Motion by Alderperson Elkin; seconded by Alderperson Marks to approve Pay Application 18 for the WWTP in the amount of \$442,740.25.

Roll Call Vote

Ayes – Duncanson, Van Someren, Marks, Elkin, Honl, Manor

Nayes – None

Motion Carried

- 3. Approval of Lease for Hangar H-2 at the Airport** – Airport Commission recommend approving a Lease for Gordon Hammons who purchased Hangar H-2 at the Amery Airport.

Motion by Duncanson; seconded by Manor to approve a lease for Hangar H-2 at the airport for Gordon Hammons.

Ayes – 6

Nayes – 0

Motion Carried.

- 4. Mobile Food Vendor Ordinance Revision Discussion** – Administrator Mansfield proposed two changes to the mobile food vendor ordinance. The first change would be removing the requirement for adding the City as additionally insured on a liability policy and the second would be modifying the fire inspection language. Consensus was that the Council was agreeable to removing the additionally insured language and would like the fire inspection language changed to the Fire Department may inspect mobile food vendors.

5. **Snow Removal on Keller Ave** – Administrator Mansfield presented the concept of using a UTV to clear snow between the bump outs on Keller Ave. Public Works recently acquired a UTV from the Fire Department and could outfit it with a plow, a deicer, and a cab. The funds would come from TID #9 for the purchase as allowed by the project plan. A budget amendment would be need and the expense would be around \$12,000. Council was in favor of the idea and would like to see a budget amendment.
6. **Council Comment** – Fran announced she has been appointed to the AEDC board.
7. **Van Blaricom read the closed session items aloud in full. Motion by Elkin; seconded by Manor to go into Closed Session at 5:47pm under Wis. Stat. §19.85(1)(e)** – Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. Hotel Development Agreement

Roll Call Vote

Ayes – Duncanson, Van Someren, Marks, Van Blaricom, Elkin, Honl, Manor

Nayes – None

Motion Carried

Motion by Elkin, seconded by Manor to reconvene into Open Session at 6:10 P.M.

Roll Call Vote

Ayes – Duncanson, Van Someren, Marks, Van Blaricom, Elkin, Honl, Manor

Nayes – None

Motion Carried

8. **Open Session – Action on Closed Session Agenda** – No action was taken.

Motion by Alderperson Manor; seconded by Alderperson Elkin; to adjourn at 6:10 P.M.

Ayes – 6

Nayes – 0

Motion Carried.

Respectfully submitted,

Taylor Larson

City Clerk-Treasurer

January 22, 2026

AMERY PLAN COMMISSION PROCEEDINGS
January 22, 2026

The Plan Commission for the City of Amery met on Thursday – January 22, 2026, at City Hall.

Mayor, Rick Van Blaricom; called the meeting to order at 9:00 a.m.

Present: Members – Rick Van Blaricom, Paul Shafer(Via Zoom), Paul Isakson(Via Zoom at 9:45), Eric Elkin, Brianna White, Scott Carlson and Pat Cahill.

Staff present: Alex Mansfield-City Administrator and Taylor Larson-Clerk/Treasurer

Others present – Emily Herold and Claire Stickler with MSA

Motion by Elkin; seconded by Cahill to approve the agenda.

Ayes – 6

Nays – 0

Motion Carried.

1. **Kickoff for the Zoning Code Rewrite** – Emily Herold and Clair Stickler with MSA were present to walk the commission through how the City will handle a Zoning Code rewrite. Commission members asked questions and shared thoughts about the process.

Motion by Cahill, seconded by Elkin adjourn at 10:04 a.m.

Ayes – 7

Nays – 0

Motion Carried.

Respectfully Submitted,

Taylor Larson, Clerk-Treasurer
January 22, 2026

CITY OF AMERY
CITY COUNCIL
POLK COUNTY, WISCONSIN

ORDINANCE NO. 2-2026

**AN ORDINANCE AMENDING CHAPTER 294 OF THE CITY OF AMERY CODE OF ORDINANCES REGULATING
MOBILE FOOD ESTABLISHMENTS**

WHEREAS, the Common Council of the City of Amery has the authority to amend the City's municipal code; and

WHEREAS, the regulation of Mobile Food Establishments is necessary to protect the health, safety, and welfare of the public, residents, and visitors; and

WHEREAS, the Common Council believes that the issuance of permits allowing the sale of food to the general public from mobile establishments is in the public interest when properly regulated; and

WHEREAS, the Common Council deems it advisable to create a new chapter of the municipal code to license and regulate mobile food establishments within the City of Amery.

NOW, THEREFORE, the Common Council of the City of Amery, Wisconsin, does ordain as follows:

Section 1: Definitions

For the purposes of this chapter, the following terms shall have the meanings indicated:

- **Mobile Food Establishment (MFE)**: A restaurant or retail food establishment where ready-to-eat food is cooked, served, or sold from a movable vehicle, trailer, or cart which periodically or continuously changes location.
- **Mobile Food Vendor**: The owner, agent, or employee of a Mobile Food Establishment.
- **Service Base**: A licensed establishment where an MFE is serviced, cleaned, and supplied, and where food may be stored or prepared.

Section 2: Permit Required

It shall be unlawful for any person to operate a Mobile Food Establishment within the City of Amery without first obtaining a valid Mobile Food Establishment Permit from the City Clerk. Each MFE unit shall be permitted separately.

Section 3: Exemptions

The requirements of this chapter shall not apply to an MFE operating as a caterer for a private event where the vendor is paid directly by the event host and does not receive direct payment from the general public. Mobile Food Vendors operating for a licensed special event will be exempt from requiring a permit and will be subject to the operating requirements of Chapter 264.7.

Section 4: Application for Permit

Any person desiring to operate an MFE shall make a written application to the City Clerk on a form provided by the City. The application shall include, but is not limited to:

1. **Applicant Information**: The full legal name, address, and phone number of the applicant and any corporate officers.

2. **Vehicle Information:** A description of the MFE, including its make, model, year, VIN, and license plate number. A copy of the current vehicle registration must be provided.
3. **Required Permits and Licenses:**
 - A valid copy of all necessary permits required by the State of Wisconsin or Polk County for food service operations.
 - A valid Wisconsin Department of Revenue Seller's Permit.
4. **Business Plan:** A narrative that addresses proposed location(s), hours of operation, and plans for waste disposal.
5. **Property Owner Permission:** Written and signed permission from the owner of any private property where the MFE will operate.
6. **Photographs:** Current photographs of the MFE showing all four sides.
7. **Fire Safety:** Proof of a current, passing fire safety inspection from any fire department.
8. **Insurance and Indemnification:**
 - A signed Hold Harmless Agreement, on a form provided by the City, indemnifying the City from any claims arising from the vendor's operations.

Section 5: Application Review

All applications shall be reviewed by the City Clerk and may be referred to other city departments, including Police, Fire, and Public Works.

Section 6: Permit Fee, Duration, and Conditions

- **Fee:** The fee for an MFE Permit shall be set by the Common Council in the City's official fee schedule. The Common Council may establish a reduced fee for vendors who operate a licensed, permanent food establishment within the City of Amery. MFEs operated by non-profit organizations will be exempt from the permit fee.
- **Duration:** Permits shall be valid for one calendar year, expiring on December 31.
- **Non-Transferable:** A permit is non-transferable between persons or vehicles.

Section 7: General Operating Requirements

1. **Compliance:** All permits must be conspicuously displayed on the MFE.
2. **Location Restrictions:**
 - MFEs may operate on private property within a commercial zone with the property owner's written permission. Operation in a residentially zoned district is prohibited.
 - MFEs shall not operate on public property, streets, or rights-of-way, unless as part of a City-approved special event.
 - An MFE shall not be located within 200 feet of a primary entrance of a business selling the same or similar food products during its hours of operation, unless written permission from that business owner is provided.
3. **Hours of Operation:** Permitted hours of operation shall be between 7:00 a.m. and 10:00 p.m. The Common Council may, by resolution, designate a specific district with extended hours of operation.

4. **Waste Disposal:** The vendor must provide their own trash receptacles and remove all waste from the site. Vendors are required to maintain the area around their site and to ensure that waste is spread about. Use of public trash receptacles is prohibited, except receptacles put out during a special event.
5. **Safety and Nuisance:**
 - The MFE shall not obstruct sidewalks, driveways, or vehicular traffic. Service must be conducted from the curbside.
 - No amplified music, noisemakers, or flashing lights are permitted.
 - Power must be self-contained. Connection to public utilities is prohibited, and power cords may not be extended across public rights-of-way.
 - All equipment, including signage, must be contained within or permanently affixed to the vehicle. No external or portable seating is permitted.

Section 8: Enforcement and Revocation

- **Enforcement:** This chapter shall be enforced by the Amery Police Department and other authorized City staff. The City shall have the authority to remove or cause the removal of any MFE found in violation of this chapter, with any towing and storage charges being the responsibility of the vendor.
- **Revocation:** A permit may be suspended or revoked by the City for violations of this chapter or for conducting business in a manner that endangers public health or safety.

Section 9: Violations and Penalties

Any person who violates any provision of this chapter shall be subject to a forfeiture as set forth in the City's Schedule of Fees and Forfeitures. Each day a violation exists constitutes a separate offense.

Section 10: Severability

If any provision of this ordinance is found to be invalid or unconstitutional, such finding shall not affect the validity of the remaining provisions.

Section 11: Effective Date

This ordinance shall take effect upon its passage and publication as provided by law.

Adopted by the Common Council on _____, 2026.
CITY OF AMERY

By:

Rick Van Blaricom
Mayor

Attest:

Taylor Larson
City Clerk-Treasurer

Published: _____, 2026



TO: The Common Council of Amery

FROM: Alex Mansfield, City Administrator; Taylor Larson Clerk-Treasurer

DATE: 1/29/2026

RE: Resolutions 1-2026 & 2-2026 Authorizing TID 9 Funding and Amending the 2026 Budget

Summary: At its January 21st meeting, the Common Council provided direction to proceed with two resolutions appropriating Tax Increment District (TID) No. 9 funds and amending the 2026 budget for the purchase of snow removal equipment intended to improve downtown curb, bumpout, and pedestrian crossing maintenance. This memo documents that direction and provides staff's supporting rationale.

Background: Downtown snow accumulation along curb extensions, bumpouts, and pedestrian crossings has created ongoing maintenance and accessibility challenges due to limitations of full-size plow equipment and daytime parking constraints. Following discussion at the January 21st Common Council meeting, Council directed staff to move forward with resolutions authorizing the use of TID No. 9 funds and a corresponding 2026 budget amendment to purchase specialized snow removal equipment focused on downtown conditions.

Staff is recommending TID No. 9 as the funding source because the proposed equipment purchase is intended solely to address snow removal, safety, and accessibility issues within the downtown district. The equipment will support improved pedestrian access, visibility, and business connectivity, which are consistent with the purposes of the TID.

Fiscal Impact: The proposed action authorizes the expenditure of TID No. 9 funds for the purchase of snow removal equipment and associated accessories, with a corresponding amendment to the 2026 adopted budget.

An expenditure of \$12,500 will be added to TID 9 account no. 495-00-53410-350 Operating Supplies & Expenditures and to the General Fund account no. 100-00-53414-340-000 Snow Removal Operating Supplies & Expenditures to facilitate this purchase.

Recommendation: Staff recommends adoption of the resolutions authorizing the appropriation of TID No. 9 funds and amending the 2026 budget to allow for the purchase of downtown-focused snow removal equipment, consistent with Common Council direction provided at the January 21st meeting.



Resolution No. 1-2026

A RESOLUTION AUTHORIZING THE USE OF TAX INCREMENT DISTRICT NO. 9 FUNDS FOR DOWNTOWN SNOW MANAGEMENT EQUIPMENT

WHEREAS, the City of Amery operates Tax Increment District No. 9 (TID 9) to support downtown infrastructure, access, and economic vitality; and

WHEREAS, downtown winter maintenance presents recurring challenges related to snow accumulation along curbs, bump outs, and pedestrian crossings, which impact accessibility, safety, and business access; and

WHEREAS, staff has identified the purchase of an all-terrain vehicle (ATV) or utility task vehicle (UTV), equipped with a snow plow and liquid deicer sprayer, as an effective and operationally feasible solution to address these challenges; and

WHEREAS, the proposed equipment will be used to improve snow and ice removal within the public right-of-way in the downtown area, including curb lines, pedestrian ramps, and crossings located within TID 9; and

WHEREAS, pursuant to Wis. Stat. §66.1105, tax increment funds may be expended on project costs related to public infrastructure, transportation improvements, and activities that enhance access, safety, and economic functionality within a tax incremental district; and

WHEREAS, the Common Council finds that the proposed expenditure qualifies as an eligible TID project cost and is consistent with the goals and intent of TID 9.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Amery, Polk County, Wisconsin, that:

1. The use of Tax Increment District No. 9 funds, in an amount not to exceed \$12,500 is hereby authorized for the purchase of:
 - Winterization equipment for a UTV
 - A snow plow attachment;
 - A liquid deicer/brine sprayer; and
 - An initial supply of liquid deicer or brine.
2. The equipment shall be used for downtown snow and ice management activities within the public right-of-way and other eligible areas of TID 9.
3. City staff are authorized to proceed with procurement in accordance with applicable purchasing policies.

Adopted this ___ day of _____, 2026

BY THE AMERY COMMON COUNCIL:

Rick Van Blaricom, Mayor

ATTEST:

Taylor Larson, City Clerk-Treasurer



Resolution No. 2-2026

A RESOLUTION AUTHORIZING A BUDGET AMENDMENT FOR THE PURCHASE OF DOWNTOWN SNOW MANAGEMENT EQUIPMENT

WHEREAS, the City of Amery has identified the need to purchase equipment to improve downtown snow and ice removal operations; and

WHEREAS, funding for this purchase was not specifically appropriated in the adopted annual budget; and

WHEREAS, the Common Council has authorized the use of Tax Increment District No. 9 funds for this purpose; and

WHEREAS, Wis. Stat. §65.90 permits the Common Council to amend the City budget as necessary.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Amery, Polk County, Wisconsin, that:

1. The City's annual budget is hereby amended to increase expenditures in Public Works Snow & Ice Operating Supplies and Expense account 100-00-53414-340-000 in the amount of \$12,500 for the purchase of downtown snow management equipment.
2. The budget amendment shall be funded through a corresponding allocation from Tax Increment District No. 9 Operating Supplies and Expenses account number 495-00-53410-350-000.
3. The City Clerk-Treasurer is authorized and directed to make the necessary accounting entries to implement this budget amendment.

Adopted this ___ day of _____, 2026.

BY THE AMERY COMMON COUNCIL:

Rick Van Blaricom, Mayor

ATTEST:

Taylor Larson, City Clerk-Treasurer



TO: The Common Council of Amery

FROM: Alex Mansfield, City Administrator; Chuck Frohn, Fire Chief

DATE: 1/29/2026

RE: Amery Fire Department Bylaws Update

Summary: The Amery Fire Department is submitting a comprehensive revision of its bylaws for City Council approval. These updates, the first since 2007, aim to modernize leadership selection, increase organizational flexibility, and clearly define the professional obligations of all department members.

Background: The existing bylaws have not been updated in nearly two decades. The proposed 2026 revisions address several critical areas to align the department with modern Wisconsin fire service standards:

- **Professional Officer Selection:** The department is transitioning from an annual election system to a merit-based appointment process. This includes formal vacancy postings, interviews, and tactical simulations to ensure competency.
- **Flexible Qualifications:** While maintaining high standards—such as five years of service for Chief or Assistant Chief roles—the new bylaws allow the Chief discretion to determine specific requirements via Standard Operating Procedures (SOPs). This ensures the department can adapt to changing professional needs without requiring constant bylaw amendments.
- **Simplified Governance:** The document streamlines department leadership into a clear hierarchy involving a Chief, Assistant Chiefs, Captains, and specialized officers. It also establishes a rotating two-year schedule for evaluating operational officer positions.
- **Clarified Member Obligations:** The revisions explicitly outline expectations for attendance (10 hours per quarter), physical health, and professional conduct. New sections also address modern necessities, such as a formal social media and HIPAA-compliant public relations policy.

Recommendation: It is recommended that the Bylaws be referred to the Fire Commission for review and for the Common Council to approve the bylaws revision at the February 18th Council Meeting.

BYLAWS OF THE AMERY FIRE DEPARTMENT

Revision Date: January 2026

Section 1: Fire Department Organization

1.1 Name and Purpose

The Amery Fire Department exists to prevent and extinguish fires within the City of Amery and contracted towns. The Amery Fire Department is a department of the City of Amery and is guided by these bylaws and its operating and administrative standard operating procedures (SOPs). The department also provides rescue, extrication, disaster mitigation, and emergency medical first response services.

1.2 Leadership Structure

Department leadership consists of a Chief, two Assistant Chiefs, a Safety Officer, four Captains, and an Emergency Medical Officer.

- **Chief:** Appointed by the Mayor and confirmed by the Amery City Council.
- **Operational Officers:** Assistant Chiefs and Captains will be appointed by the Chief via a merit-based interview process to ensure professional competency.
- **Secretary:** Appointed by the Chief after an interview process.
- **Treasurer:** Appointed by the Chief after an interview process.

Section 2: Officer Qualifications and Selection Process

2.1 General Requirements

- To hold the office of Chief or Assistant Chief, a member must have at least five years of department service. Assistant Chiefs must have held the position of captain for at least three years prior to consideration as an assistant chief.
- Officers must ordinarily spend their time within the City of Amery or the contracted service area; those living or working outside the City or service area must apply to the Chief for a variance.
- Position specific requirements for officers will be determined by Department SOPs and are subject to change at the Chief's discretion.

2.2 Appointment Process for Assistant Chiefs and Captains

This process replaces the previous annual election system to align with professional Wisconsin fire standards:

- **Notice of Vacancy:** The Chief will post a vacancy notice for 14 days. Operational officer positions will be evaluated and opened to applications on a rotating two-year basis.

Year 1 Positions	Year 2 Positions
1 st Assistant Chief	2 nd Assistant Chief
2 Captains	2 Captains
Secretary/Treasurer	EMS Captain

- **Application:** Interested members must submit a written request outlining qualifications, training, and a paragraph detailing their goals for the position.
- **Review Committee:** The Chief will convene a review committee (which may include the Chief, a City representative, and an external fire officer) to evaluate applicants.
- **Interview and Assessment:** Candidates will undergo a formal interview and, where applicable, a tactical simulation.
- **Final Appointment:** The Chief will appoint the candidate best meeting the criteria, following the interview and a 3-day period for written member comments.

2.3 Rank-Specific Duties

- **Fire Chief:** Responsible for the comprehensive management of the Department, including overseeing personnel and discipline, commanding firefighting operations, maintaining equipment and records, enforcing fire safety laws, and managing the annual budget and administrative duties.
- **Assistant Chiefs:** Function as mid-level management in command of multiple company operations. They are responsible for all equipment and personnel and function in place of the Chief when necessary.
- **Captains:** Act as first-level management in direct command of company operations and interior fire suppression. They are responsible for conducting monthly training exercises.
- **Safety Officer:** Defined by Wisconsin Administrative Code Comm 30.05, the Safety Officer chairs the Occupational Safety and Health Committee (OSHC) and submits an annual report.
- **EMS Captain:** Manages all first responder operations, training, and quality control. Responsible for WARDs reporting to the State of Wisconsin. They must maintain HIPAA compliance regarding patient information.
- **Secretary:** Responsible for taking department meeting minutes, maintaining department records, and alarm data.
- **Treasurer:** Responsible for managing volunteer funds and departmental payroll.

Section 3: Membership Standards

3.1 Employment Standards

- **Applications:** Must be submitted on a standard department application and considered regardless of race, religion, sex, or national origin.

- **Character:** Applicants must be of good moral character and have no felony convictions (reviewed case-by-case). Applicants must pass a standard background check.
- **Physical Health:** Members must pass a physical by a licensed health professional. They must have no health problems (cardiac, respiratory, etc.) that bar them from performing firefighting duties.
- **Residency:** Members must live or work in the Amery Fire Protection area.
- **Attendance:** Members must attend a minimum of 10 hours of Department activity per quarter of the year.

3.2 Probation and Training

- **Probation:** New employees are on probation for 18 months and may be terminated without recourse.
- **Certification:** Members must pass the Wisconsin Entry-Level firefighting courses Parts A and B with a grade of 70 or better within 18 months, pending class availability. Structural firefighting (inside attack) is only permitted after completion of this training. EMR members must complete first responder classes within 18 months and maintain an up-to-date license. EMR members are only able to respond to calls after obtaining their license.

Section 4: Operations, Conduct, and Public Relations

4.1 Safe Operations

- **Substance Use:** No member will drive apparatus or handle equipment if they have consumed alcohol within the previous eight hours or are under the influence of any drug. Members may not have any patient contact if a substance has been consumed within the previous eight hours.
- **Driving:** Only members who have completed an approved Emergency Vehicle Operations course and have written approval from the Chief or an Officer may drive apparatus during emergencies.
- **Equipment:** No equipment may be taken from the fire hall without prior approval, except in the event of an emergency call.

4.2 Social Media and Public Relations Policy

This policy ensures that all members represent the department professionally and comply with state and federal privacy laws.

- **Confidentiality (HIPAA):** Members are strictly prohibited from sharing any patient information, medical details, or identifiable scene data on personal social media accounts.
- **Scene Photography:** No photos or videos of emergency scenes, victims, or department operations may be taken or posted without express permission from the Incident Commander or Chief.

- **Representing the Department:** Members will not post content that appears to represent the official position of the Amery Fire Department unless authorized.
- **Professionalism:** Posts that contain harassment, discriminatory language, or that bring discredit to the department are subject to the disciplinary process.

Section 5: Discipline and Oversight

5.1 Performance Review

The Chief will conduct annual performance evaluations for all officers. Failure to meet standards or address identified concerns may result in required training or removal from the position.

5.2 Progressive Discipline

Discipline follows a standardized three-step process. The process may be altered on a case-by-case basis at the Fire Chief's discretion.

1. **Letter of Reprimand:** Accompanied by corrective training.
2. **Suspension:** A period of 10 to 60 days for continued behavior or safety issues.
3. **Dismissal:** Termination of membership. Dismissed employees have the right to appeal to the Amery Common Council.

Section 6: Administration and Health

6.1 Meetings and Governance

- **Regular Meetings:** Held the first and third Monday of each month at 6:00 PM.
- **Quorum:** 50% of membership is required to conduct department business.
- **Amendments:** Bylaw changes require a two-thirds majority vote by the department and final approval by the City Council.



TO: The Common Council of Amery

FROM: Alex Mansfield, City Administrator and Dan Peters, Police Chief

DATE: 1/28/2026

RE: Update to Chapter 313 Regarding Chronic Rental Nuisances and Problematic Renters

Summary: This proposal modernizes the City's existing nuisance code to specifically address "problematic renters" by shifting accountability to property owners (landlords). The ordinance mandates the use of a Crime-Free Lease Addendum and establishes a collaborative abatement process between the Police Department and landlords. This shift ensures that the City can effectively address properties that "substantially annoy, injure or endanger the comfort, health, repose or safety of the public".

Background: The City of Amery currently prohibits any person from maintaining or permitting a public nuisance. Under existing Section 313-7, a property can be declared a criminal activity nuisance if two or more specified violations—such as drug activity, disorderly conduct, or noise—occur within a 12-month period. Current definitions explicitly include "Rental Units," defined as any dwelling unit not occupied by the owner and leased to a third party.

While the current framework allows for enforcement, the proposed update draws on small-city precedents (Barron, Rice Lake, and Neenah) to make the process more proactive for rental situations:

- **Mandatory Addendum:** Requires landlords to include language in leases identifying nuisance activity as a material breach, facilitating faster evictions under state law.
- **Structured Abatement:** Formally requires owners to meet with the Chief of Police to implement a written plan to prevent further nuisance activity once a property is flagged.
- **Appeals Process:** Maintains the existing right for owners to appeal a nuisance declaration to the Zoning Board of Appeals if they can prove they took prompt action to abate the issue.

Fiscal Impact: The proposed updates are designed to be revenue-neutral for the City by utilizing existing cost-recovery mechanisms.

- **Administrative Charges:** The code already provides for an administrative charge of \$100 plus 175% of the Police Chief's hourly wage for the time required to abate a nuisance.
- **Cost Recovery:** If these costs are not paid as a debt, they are assessed against the real estate as a special charge.
- **Taxpayer Relief:** By charging for repeated police responses to problematic rental units, the City reduces the financial burden on the general taxpayer for policing chronic nuisance locations.

Recommendation: It is recommended that the Common Council adopt the consolidated "Chronic Rental Nuisance" language into Section 313-7 and approve the mandatory Crime-Free Lease Addendum. This provides the Police Department with the necessary tools to address "disorderly houses" and premises where laws are "openly, continuously, repeatedly and intentionally violated".



Proposed Replacement: § 313-7. Chronic Rental Nuisances & Landlord Accountability

A. Purpose. To reduce the burden on City resources caused by repeated "problematic renters" and to ensure that owners of Rental Units take active measures to manage tenant behavior that threatens public peace, health, or safety.

B. Chronic Nuisance Threshold. A Rental Unit is declared a Chronic Nuisance Property if three (3) or more separate Nuisance Activities occur within any twelve-month period or if two or more criminal incidents occur within 180 days.

C. Landlord Responsibility & Mandatory Addendum.

1. Crime-Free Lease Addendum: Every residential lease for a Rental Unit in the City shall include an addendum making criminal or nuisance activity by a tenant or guest a material breach and grounds for termination of tenancy.
2. Notification: Upon the second documented Nuisance Activity at a Rental Unit, the Chief of Police shall notify the owner of record. The owner is then required to respond within ten (10) days to propose an Abatement Plan.

D. Required Abatement Measures. the City may require the landlord to take specific actions, including but not limited to:

1. Serving a 5-Day No-Cure Eviction Notice (per Wis. Stat. § 704.17(3m)) if the nuisance involves drugs or violence.
2. Implementing mandatory tenant background checks.
3. Installing improved lighting or security systems.

E. Cost Recovery and Penalties.

1. Service Fees: If a landlord fails to implement an approved Abatement Plan or if a third nuisance occurs, the owner shall be billed for the actual cost of every subsequent police response (\$100 administrative fee plus 175% of the Police Chief's hourly wage).
2. Special Assessment: Any unpaid costs shall be assessed against the real estate as a special charge on the property tax roll.
3. Rental License Review: For properties with persistent violations, the City may seek an injunction or license revocation to prohibit the rental of the unit for a period of up to one year.



Crime-Free / Nuisance-Free Lease Addendum

In consideration of the execution or renewal of a lease of the Rental Unit identified in the lease, Owner/Manager and Resident agree as follows:

1. Prohibited Criminal & Nuisance Activity Resident, any member of the resident's household, or a guest or other person under the resident's control shall not engage in, facilitate, or permit any Criminal Activity Nuisance as defined in Amery City Code § 313-7. Prohibited activities include, but are not limited to:

- Crimes Against Public Peace/Safety: Engaging in disorderly conduct, illegal use of firearms, or fireworks violations.
- Controlled Substances: Any violation of the Uniform Controlled Substances Act (Wis. Stat. Ch. 961).
- Property & Health Crimes: Theft, damage to property, or the illegal storage of junked/discarded property.
- Alcohol Violations: Providing alcohol to juveniles or the unlicensed sale of liquor.
- Noise & Animal Nuisances: Habitual barking/howling or loud, discordant noises that annoy or disturb the neighborhood.

2. Material Breach of Lease The parties agree that a single violation of any provision of this addendum shall constitute a material breach of the lease and "good cause" for termination of tenancy.

3. Eviction Authority Pursuant to Wis. Stat. § 704.17(3m), the Owner/Manager may serve a 5-Day Notice to Vacate with No Right to Cure if the Resident or their guest engages in any criminal activity that threatens the health or safety of other residents or persons in the immediate vicinity.

4. Duty to Abate Resident acknowledges that under Amery City Code § 313-7, the City may declare the property a "Nuisance Property" after two or more violations occur within a twelve-month period. Resident agrees to indemnify the Owner for any abatement costs or administrative fees (\$100 plus 175% of the Police Chief's hourly wage) assessed by the City resulting from Resident's conduct.

5. Police Cooperation Resident authorizes the Owner/Manager to use police department records and reports as reliable evidence in any judicial eviction proceeding.